IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1970 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 15/07/2002 in W.P.No.17633 of 1997 on the file of the High Court.)

Between:

Lt. Col. Abhilash Sharma, S/o.Sri Shyam Manohar Sharma,
Occ: Working in Indian Army, aged 42 years, R/o.13-A,
Golf Course Scheme, Jodhpur, Rajasthan.

..... APPELLANT

AND

1. The General Officer-in-command,
Eastern Comman, C/o.99 APO.
2. The Officer-in-Command, 12(I) OECCE, & OBSN. FLT.
C/o.99, APO.
3. The Controller of Defence Accounts,
(Officers), Golibar Maidan, Pune-I, Maharashtra.
4. The Officer-in-Command, 333, Missile Group,
C/o.56, APO.
5. Smt. Veena Sharma, W/o.Abhilash Sharma,
B-259, Sarita Vihar, New Delhi.

..RESPONDENTS

Counsel for the Appellant: MR.VENKATESWARA RAO GUDAPATI

Counsel for the Respondent No.1 to 4: MR.K.G. KRISHNA MURTHY, (ADDITIONAL STANDING COUNSEL FOR CENTRAL GOVERNMET)

The Court, at the time of admission, made the following:

J U D G M E N T: (Per Hon'ble Sri Justice B.Sudershan Reddy)

The impugned order passed by the learned single Judge does not require any interference by this Court. Learned single Judge disposed of the writ petition with the observation that the question of further deduction of maintenance allowance from the pay of the petitioner does not arise in view of the fact that the marriage between the petitioner and the 5th respondent does not subsist. We are not inclined to interfere with the order passed by the learned single Judge.

The Writ Appeal shall accordingly stand dismissed. No order as to costs.

_____

B. SUDERSHAN REDDY, J.

Date:13-12-2004

_____

C.V. RAMULU, J.

GS/PV

To

1. The General Officer-in-command,
Eastern Comman, C/o.99 APO.

2. The Officer-in-Command, 12(I) OECCE, & OBSN. FLT.
C/o.99, APO.

3. The Controller of Defence Accounts,
(Officers), Golibar Maidan, Pune-I, Maharashtra.

4. The Officer-in-Command, 333, Missile Group,
C/o.56, APO.

5. Smt. Veena Sharma, W/o.Abhilash Sharma,
B-259, Sarita Vihar, New Delhi.

6. Two C.D. copies